

Two co-owners fined over \$90,000 for persistently not complying with removal order

Two co-owners who persistently failed to comply with a removal order issued under the Buildings Ordinance (BO) (Cap. 123) were convicted and fined over \$90,000 at the Kwun Tong Magistrates' Courts last week.

The case involved an unauthorised structure with an area of about 40 square metres on the roof of a composite building on Argyle Street. As the unauthorised building works (UBWs) were carried out without prior approval and consent from the Buildings Department (BD), a removal order was served on the owners under section 24(1) of the BO.

Failing to comply with the removal order, the two owners were prosecuted by the BD and were fined over \$15,000 in total upon conviction by the Court. As the two owners persisted in not complying with the removal order, the BD instigated prosecution again. The two owners were fined \$91,400 in total by the Court, of which \$79,400 was the fine for the number of days that the offence continued, upon conviction at the Kwun Tong Magistrates' Courts on December 17.

A spokesman for the BD said today (December 24), "UBWs may lead to serious consequences. Owners must comply with removal orders without delay. The BD will continue to take enforcement actions and consider instigating prosecution against owners again if they persist in not complying with the orders to ensure building safety."

Failing to comply with a removal order without a reasonable excuse is a serious offence under the BO. The maximum penalty upon conviction is a fine of \$200,000 and one year's imprisonment, and a further fine of \$20,000 for each day that the offence continues.